

Article - Health - General

[\[Previous\]](#)[\[Next\]](#)

§10–809.

(a) Whenever a release of an individual from a facility is planned, the administrative head of the facility or a designee of the administrative head, with the consent of the individual, shall notify the parent or next of kin about the proposed release. In the case of a minor child or an individual who is assigned a legal guardian, the parent of the minor child or the legal guardian of the individual shall be notified of any planned release.

(b) (1) Except as otherwise provided in this section, before a facility releases an individual who has been accepted as a resident in the facility, the administrative head of the facility or a designee of the administrative head shall:

(i) Prepare a written aftercare plan for the individual;

(ii) With the consent of the individual send the plan to the treatment program in the community that the individual chooses; and

(iii) Notify the individual of the advisability of making an advance directive for mental health services, as provided under § 5-602.1 of this article.

(2) If the individual requests assistance in making an advance directive for mental health services, the facility shall assist the individual in making the advance directive or refer the individual to an appropriate community resource to assist the individual in making the advance directive.

(3) When the administrative head of the facility or the designee of the administrative head refers the individual to an appropriate community resource under paragraph (2) of this subsection, the administrative head or designee shall notify the community resource of the name of and other available nonconfidential identifying information about the individual that has been referred to the community resource and of the individual's interest in making an advance directive for mental health services.

(4) The Department shall provide training, sample forms, and information on advance directives for mental health services to assist facilities in compliance with this section.

(c) (1) In this subsection, “aftercare services” means services:

(i) For individuals who no longer receive inpatient services for a mental disorder; and

(ii) That enhance the opportunity to maintain a mentally ill individual in the community and to assist in the prevention of homelessness.

(2) “Aftercare services” include:

- (i) Medical care;
- (ii) Psychiatric care;
- (iii) Vocational and social rehabilitation;
- (iv) Supportive housing; or
- (v) Case management services.

(3) The aftercare plan shall be prepared in collaboration with community programs and government agencies that are to provide aftercare services to the individual after release.

(4) The aftercare plan shall include:

(i) Diagnoses, including existing psychiatric, somatic, and dental diagnoses;

(ii) Treatment initiated;

(iii) Medications prescribed, their dosage schedules, the amount of each medication given to the individual on release, and the information necessary to help the individual to obtain the prescribed medication in the community in accordance with the aftercare plan;

(iv) Date of release;

(v) Location of community placement;

(vi) Plan for continuing treatment; and

(vii) List of referrals indicated, including:

1. Public social services;

2. Legal aid;
3. Educational services;
4. Vocational services; and
5. Medical treatment other than mental health services.

(5) The Secretary shall periodically review selected aftercare plans and make a determination if the services included in the aftercare plans are meeting the needs of the particular individuals.

(6) The Secretary shall designate an existing employee within the Department whose primary function is to help coordinate the Department's programs and services aimed at the prevention of homelessness to mentally ill individuals.

(d) (1) If the individual does not consent to an aftercare plan, a statement to this effect signed by the individual or a parent, guardian, or other representative of the individual shall be placed in the individual's record.

(2) With the consent of the individual, and before an individual who had been accepted as a resident in the facility is released from a facility, the staff of the facility shall assist the individual or the parent, guardian, or other representative of the individual in applying for the federal and State benefits for which the individual may be eligible.

(3) (i) The staff of the facility shall begin assisting the individual or the parent, guardian, or other representative of the individual in the application process for benefits for the individual as early as possible after the individual is accepted as a resident in the facility.

(ii) On acceptance as a resident to the facility, the facility shall provide to each individual, or the parent, guardian, or other representative of the individual, written information regarding federal and State benefits and application processes.

[\[Previous\]](#)[\[Next\]](#)